

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA

-against-

S3 20 CR 626 (PMH)

NOTICE OF MOTION

**DWIGHT REID, a/k/a “Dick Wolf”, et al,
Defendants
DESHAWN THOMAS,
Defendant (Movant).**

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COUNSEL:

PLEASE TAKE NOTICE that upon the Affidavit of Roderick Jones, dated March 18, 2022, the Declaration of JOHN S. WALLENSTEIN, ESQ., dated March 22, 2022 and the Memorandum of Law dated March 22, 2022, the defendant will move this Court, pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure, for an order:

- 1) Suppressing the gun seized from defendant’s vehicle on October 14, 2020, the electronic devices seized at the same time, and the content of those devices, upon the grounds that the search and seizures were conducted in violation of defendant’s rights under the Fourth Amendment to the United States Constitution; and
- 2) Suppressing the recorded conversations and any fruits thereof related to conversations between Defendant and Dwight Reid at Auburn Correctional

Facility on various dates, upon the ground that the eavesdropping and recording of the conversations were conducted in violation of law and in violation of defendant's rights under the Fourth Amendment to the United States Constitution; and

3) Granting permission to join in the motions submitted by any co-defendants to the extent such motions affect Thomas' rights or implicate Thomas' defense.

DATED: GARDEN CITY, NEW YORK
March 22, 2022

Yours, etc.,

JOHN S. WALLENSTEIN
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TO: All counsel of record (by ECF)

The Court grants Defendant's request made on the record at the plea hearing held today, April 27, 2022, to withdraw his pending motion to suppress (see transcript).

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 384.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
April 27, 2022